NPT/CONF.2005/PC.I/12

Preparatory Committee for the 2005 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons

Distr.: General
10 April 2002

Original: English

First session
New York, 8-19 April 2002

Submission by the United States of America

The United States of America welcomes the opportunity to provide information on steps it has taken to promote the environment necessary to encourage nations to establish an effectively verifiable Middle East zone free of weapons of mass destruction and the realization of the goals and objectives of the 1995 NPT resolution on the Middle East. In order to promote the environment necessary for achieving an effectively verifiable Middle East zone free of nuclear and all other weapons of mass destruction and their delivery systems, the United States has focused on three objectives: (1) Supporting the Middle East peace process; (2) ensuring that States parties are in compliance with the Treaty on the Non-Proliferation of Nuclear Weapons (NPT); and (3) strengthening other international non-proliferation treaties and regimes.

1. *Support for the Middle East peace process.* Achievement of a comprehensive, just, and lasting peace in the Middle East remains a key United States foreign policy goal. The United States believes that attainment of this goal will in turn facilitate dialogue on the vast array of complex issues that surround the establishment of a regional zone free of all weapons of mass destruction. President Bush and Secretary Powell have articulated an American vision of an eventual Palestinian State alongside Israel, at peace with each other and within secure and recognized borders. This political settlement would be negotiated between Israel and the Palestinians. The United States vision for the region is reflected most recently in United Nations Security Council resolution 1397 (2002) of 12 March 2002, sponsored by the United States and reaffirmed by other world leaders including Saudi Arabia's Crown Prince Abdullah, and remains consistent with Security Council resolutions 242 (1967) and 338 (1973).

Furthermore, the United States welcomed the Arab League's endorsement of Saudi Arabia's vision of a negotiated settlement and full normalization with Israel. President Bush recently sent General Anthony Zinni (retired) to the region for his third trip, this time to put a ceasefire in place and help the parties begin implementation of the Tenet security work plan as first step towards full implementation of the Mitchell Committee recommendations and the resumption of a political process. That political process is also anchored to Security Council resolutions 242 (1967) and 338 (1973), and the principles of the 1991 Madrid peace

02-32574 (E) 110402

conference. The President has made clear he is committed to working with United States partners in the region and around the world in pursuit of these goals. On 4 April, President Bush announced he was sending Secretary Powell to the Middle East for consultations with regional leaders.

2. *Ensuring that all countries comply with the NPT.* An array of nuclear non-proliferation challenges exist in the Middle East. At the 2000 NPT Review Conference, the United States expressed concern regarding non-compliance with the Treaty. There is little hope of, and even less utility in, establishing an agreement to create a zone free of weapons of mass destruction if we cannot ensure that nations implement and uphold agreements to which they are party. Non-compliance issues are our highest priority and need to be addressed directly since they affect the core substance of the NPT and continue to bear directly on the prospects of attaining a zone in the Middle East free of weapons of mass destruction. In fact, the entire effort surrounding arms control agreements is brought into question by unchallenged violations. Because it takes arms control seriously, the United States cannot ignore violations of the NPT, now or in the future. All NPT parties need to act with resolve in response to any such challenge to the Treaty.

The Iraqi nuclear weapon programme violated article II of the NPT. Its construction of secret facilities, including a facility for nuclear weapon development and assembly, contributed to its violation of article II. Iraq's failure to apply safeguards to the nuclear material used in its nuclear weapons programme also constituted a violation of article III of the NPT, which requires that safeguards be applied "with a view to preventing diversion of nuclear energy from peaceful purposes to nuclear weapons of other nuclear explosive devices". Security Council resolution 707 (1991), of 15 August 1991, concluded that Iraq's non-compliance with its obligations under its safeguards agreement constitutes a violation of its commitments as a party to the NPT. Subsequent Security Council resolutions have reaffirmed this resolution.

In his January 2002 State of the Union address, President Bush stated: "The Iraqi regime has plotted to develop anthrax, and nerve gas, and nuclear weapons for over a decade. This is a regime that has used poison gas to murder thousands of its own citizens — leaving the bodies of mothers huddled over their dead children. This is a regime that agreed to international inspections — then kicked out the inspectors. This is a regime that has something to hide from the civilized world."

In his October 2002 letter to the President of the United Nations Security Council, IAEA Director General ElBaradei stated that, lacking inspectors in Iraq, the Agency "... is not able at present to provide any assurance that Iraq is in compliance with its obligations under these [Security Council] resolutions. Clearly, the longer the suspension of resolution-related inspections lasts, the more difficult it will be and the more time will be required for the Agency to re-establish a level of knowledge comparable to that achieved at the end of 1998."

The United States will continue to press its concerns about Iraq and will work to facilitate an atmosphere of security and stability in the region. In pursuing these objectives, the United States has and will continue to work with the Security Council to:

- Adopt a new Goods Review List (GRL) and associated implementation procedures that will focus sanctions on items of military use that would contribute most to Iraq's efforts to rearm; and
- Work for full, unconditional and immediate Iraqi compliance with all applicable Security Council resolutions, including active cooperation with United Nations-mandated weapons inspection and monitoring teams.

The United States is also concerned about other NPT parties in the Middle East region whose ostensible commitments to the NPT are belied by their covert programmes to acquire a nuclear weapon capability. We urge all NPT parties to avoid nuclear cooperation with these countries and underscore the absolute importance of abiding by their Treaty obligations.

Other United States actions to promote compliance with the NPT in the Middle East and elsewhere include supporting the strengthening of IAEA safeguards, the negotiation and entry into force of Additional Safeguards Protocols, and the adoption of NPT safeguards agreements. Most NPT States parties in the Middle East have brought into force the required full-scope safeguards agreement with IAEA, and one State party has brought into force an Additional Protocol. However, several countries in the region have still not concluded the safeguards agreements with IAEA required by the NPT, and it is essential that each do so as soon as possible.

3. *Other efforts to strengthen non-proliferation treaties and regimes.* The United States continues to encourage the creation of a regional environment that allows for broader acceptance by all Middle East States of multilateral non-proliferation and disarmament norms and international standards, including:

- promoting universal adherence to the NPT;
- encouraging entry into force of IAEA full-scope safeguards agreements and adoption of IAEA Additional Protocols;
- promoting adherence to Missile Technology Control Regime (MTCR) and Australia Group guidelines;
- promoting adherence to the Chemical Weapons Convention;
- promoting adherence to the Biological Weapons Convention (BWC) and support for effective BWC implementation procedures; and
- promoting support for a verifiable treaty banning the production of fissile material for nuclear weapons or other nuclear explosive devices.

In addition, the United States continues to urge supplier States, both bilaterally and in international forums, to refrain from exporting any weapons of mass destruction, missiles or related materials, equipment and technologies, as well as destabilizing advanced conventional weapons to countries in the Middle East, including those that support terrorism.